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QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Fifty-fourth year

Letter dated 25 March 1999 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

Yesterday, the Israeli representative to the United Nations made some comments to the media on the issue of General Assembly resolution 181 (II) of 29 November 1947, as well as on a statement previously made by President Arafat on the subject. The Israeli representative repeated what the Israeli Foreign Minister said a few days ago, namely that resolution 181 (II) was "null and void". These are pathetic statements involving illegal positions with far-reaching and serious consequences.

For the Palestinian side, and since the strategic decision to forge a peace on the basis of coexistence, resolution 181 (II) has become acceptable. The resolution provides the legal basis for the existence of both the Jewish and the Arab States in Mandated Palestine. According to the resolution, Jerusalem should become a corpus separatum, which the Palestinian side is willing to take into consideration and to reconcile with the Palestinian position that East Jerusalem is part of the Palestinian territory and the capital of the Palestinian State. The Palestinian side adheres to international legitimacy and respects General Assembly resolution 181 (II), as well as Security Council resolution 242 (1967), the implementation of which is the aim of the current Middle East peace process.

Israel must comply with United Nations resolutions. It has no power to unilaterally annul any of those resolutions, particularly such a historic

resolution as 181 (II). Israel's claim that the resolution is "null and void" is illegal, and it is also inadmissible given the history of the matter.

Prior to its admission to United Nations membership, Israel made clear pledges to the members of the United Nations that it would implement resolution 181 (II) and resolution 194 (III) of 1949, related inter alia to the rights of Palestine refugees. In actuality, resolution 273 (III) of 11 May 1949, admitting Israel to membership in the United Nations, recalled in its preamble both of those resolutions and took note of the declarations and explanations made by the representative of the Government of Israel before the Ad Hoc Political Committee with respect to the implementation of the said resolutions.

Furthermore, in the "Declaration of the State of Israel", it is clearly stated that Israel is prepared to cooperate with the agencies and representatives of the United Nations in implementing the resolution of the General Assembly of 29 November 1947. In fact, the declaration, at least in part, was made on "the strength of the resolution of the United Nations General Assembly".

Thus, while we are not sure whether or not the officials of the Israeli Foreign Ministry understand what they are stating and its implications, the international community should nevertheless take it seriously. Moreover, we believe that Israel must still explain to the international community the measures it took illegally to extend its laws and regulations to the territory it occupied in the war of 1948, beyond the territory allocated to the Jewish State in resolution 181 (II). Such a situation has not been accepted by the international community.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the General Assembly, under agenda items 39, 40 and 84, and of the Security Council.

(Signed) Nasser AL-KIDWA
Ambassador
Permanent Observer of
Palestine to the United Nations